

6.0 PERMITS AND REGULATORY REQUIREMENTS

Federal and state laws apply to the closure of the SSTs. The regulatory framework for SST waste management includes requirements regarding planning and protection of air and water quality, human health, and the environment. Closure objectives are driven by the requirements of the *Atomic Energy Act of 1954* (AEA) and RCRA. The authorities for the regulation of mixed waste in the SSTs are derived from the AEA for the radioactive constituents and from RCRA and the “Hazardous Waste Management Act” for the hazardous constituents. The EPA has authority under the provisions of RCRA and AEA, Ecology has authority under the provisions of the “Hazardous Waste Management Act” and RCRA, and DOE has authority under the provisions of AEA. The HFFACO establishes lead agencies to minimize duplicative administrative requirements. Ecology regulates the SSTs as hazardous waste storage and treatment units under WAC 173-303; the SSTs must be closed in accordance with applicable portions of this regulation. Radioactive waste also must be managed in accordance with the AEA.

These authorities may impose different requirements. Potential RCRA and AEA conflicts will be addressed through HFFACO procedures. The radioactive component of mixed waste also must be managed pursuant to the DOE regulatory authority under the AEA.

Ecology is the lead regulatory agency authorized to approve applications to modify the Hanford Facility RCRA permit and for toxic air emissions. The Washington State Department of Health is the lead agency for radioactive air emissions. If the existing Notices of Construction do not adequately cover the ATCD Project, applications for new Notices of Construction will be submitted. Accelerated SST system closure activities are dependent upon modification of the Site-Wide RCRA permit (WA7890008967) through addition of the SST system closure plan. Basic agency roles and responsibilities include DOE drafting the closure plan and Ecology reviewing it, issuing the draft closure plan with permit conditions that direct closure activities, and issuing the document for public comment. After public comment is taken into account, the permit will be modified with the final closure plan and associated permit conditions. DOE will classify residual waste remaining in C-106 after retrieval under DOE Order 435.1.

The following regulations and requirements (Table 6-1) are relevant to the management of waste in SSTs, the ATCD Project, and final closure of the tank farms.

Table 6-1. Applicable Regulations and Requirements

RCRA

Federal Facilities Compliance Act

NEPA

AEA

40 CFR 191

10 CFR 835

DOE Order 435.1

DOE Order 5400.5

Clean Air Act

Safe Drinking Water Act

Clean Water Act

Hazardous Waste Management Act

Hanford Federal Facility Agreement and Consent Order (HFFACO)

Water Pollution Control Act

Washington Clean Air Act